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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,967	12/05/2001	Lawrence E. Felton	5721.1	1811
75	90 06/27/2003			
Samuels, Gauthier & Stevens LLP			EXAMINER	
Suite 3300 225 Franklin St			PICARDAT, KEVIN M	
Boston, MA 02	2110		ART UNIT	PAPER NUMBER
			2822 DATE MAILED: 06/27/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

CLOT AVAILABLE COTY

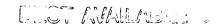
	_		A A				
•		Application No.	Applicant(s)				
4.4 D*	•	10/006,967	FELTON ET AL.				
	Office Action Summary	Examiner	Art Unit				
		Kevin M. Picardat	2822				
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with th	e correspondence address				
A SHOTHE! - Exter after - If the - If NO - Failu	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. Issions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period we to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing d patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be within the statutory minimum of thirty (30) fill apply and will expire SIX (6) MONTHS fr cause the application to become ABANDO	days will be considered timely. om the mailing date of this communication. NED (35 U.S.C. § 133).				
1)⊠	Responsive to communication(s) filed on 04 N	lovember 2002 .	N. J.				
2a) <u></u> □	This action is FINAL . 2b)⊠ Thi	is action is non-final.					
3)□	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
Dispositi	closed in accordance with the practice under long of Claims	Ex parte Quayle, 1955 C.D. 11	prosecution as to the merits is , 453 O.G. 213.				
4)⊠	Claim(s) 1-110 is/are pending in the applicatio	n.					
	4a) Of the above claim(s) is/are withdrav	vn from consideration.					
4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1-110</u> is/are rejected.							
7)	Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/or election requirement.							
	on Papers						
9) The specification is objected to by the Examiner.							
10) ☐ The drawing(s) filed on <u>08 December 2001</u> is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
12) The oath or declaration is objected to by the Examiner.							
Priority under 35 U.S.C. §§ 119 and 120							
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
•	☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documents have been received.							
	2. Certified copies of the priority documents have been received in Application No						
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 							
14)⊠ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).							
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 							
Attachment	r(s)						
2) Notice	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4.3</u>	5) Notice of Inform	ary (PTO-413) Paper No(s) al Patent Application (PTO-152)				

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DETAILED ACTION

Specification



The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-110 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujii et al..

Fujii et al. discloses a method of protecting a MEMS structure during dicing including preparing a MEMS wafer having a plurality of structures thereon, mounting a cap to produce a laminated MEMS wafer, the cap being recessed in areas corresponding to locations of the MEMS structure sites, dicing the wafer into a plurality of MEMS dies, and removing the cap. Also disclosed are suggestions to use various known materials and methods in forming the structure (see figs. 1A-2C, 8A-8F and related text).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Picardat whose telephone number is 703-308-1097. The examiner can normally be reached on Monday-Thursday 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on 703-308-4905. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Kevin M. Picardat Primary Examiner Art Unit 2822

kmp June 25, 2003